

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LYNNE MILLICAN, individually and as
survivor and next of kin to Matthew Bellamy;

Plaintiff,

vs.

**CORECIVIC, INC.; CORECIVIC OF
TENNESSEE, LLC; CORRECTIONAL
MEDICAL ASSOCIATES, INC.;
DAMON T. HININGER; PATRICK
SWINDLE; JASON MEDLIN; MARTIN
FRINK; KEITH IVENS; F/N/U
THOMAS; and F/N/U REPLOGLE;**

Defendants

**Case No. 3:22-cv-00807
Judge Aleta A. Trauger**

JOINT MOTION TO WITHDRAW

COMES NOW Brice M. Timmons and Craig A. Edgington of the law firm of Donati Law, PLLC, and Ty Clevenger (“Movants”), and files this Joint Motion to Withdraw, and in support of their motion state as follows:

Relevant Background

1. On October 11, 2021, Matthew Bellamy died at Trousdale Turner Correctional Facility.
2. Movants were retained to assist Plaintiff Lynne Millican a very short time before the statute of limitations lapsed in this matter.
3. On October 11, 2022, Plaintiff filed her Complaint.
4. On March 4, 2023, Plaintiff propounded his First Set of Interrogatories and

Requests for Production of Documents to Defendant CoreCivic.

5. On or about May 1, 2023, Initial Disclosures were exchanged in this matter.

6. On May 23, 2023, Defendant CoreCivic responded to Plaintiff's First Set of Interrogatories and Requests for Production of Documents.

7. On August 30, 2023, Mr. Clevenger transmitted a termination letter informing Plaintiff that he intended to seek permission from this Court to withdraw, and that Plaintiff should seek other representation to protect her interests. A copy of this letter is hereto attached as **Exhibit A**.

8. On that same day, Mr. Clevenger transmitted a second letter outlining the specific reasons for the withdrawal.

9. On September 7, 2023, Messrs. Timmons and Edgington transmitted a termination letter via certified mail and e-mail informing Plaintiff that they intended to seek permission from this Court to withdraw, and that Plaintiff should seek another attorney to represent her interests. A copy of this letter is hereto attached as **Exhibit B**.¹ On that same date, they also sent a separate letter outlining the specific reasons for their withdrawal.

10. Plaintiff's contact information is as follows:

- a. Harvey Millican's Phone – 901-424-5373.
 - i. Mr. Millican is currently living with Plaintiff.
- b. Email – millicanlynn3@gmail.com
- c. Address – 107 Birchwood Dr.
Apt. 169A
Munford, TN 38058

11. As of the filing of this motion, Movants are unaware if substitute counsel has been retained by Plaintiff. Movants have indicated in their letters to Plaintiff that they would make available all files expeditiously to any new counsel.

¹ Messrs. Timmons and Edgington originally sent a letter on August 29, 2023, which was returned undelivered.

12. Trial in this matter is not set until September 17, 2024. (ECF No. 40).

WHEREFORE PREMISES CONSIDERED, Movants, Brice M. Timmons and Craig A. Edgington of the law firm of Donati Law, PLLC, and Ty Clevenger, respectfully request that this Court enter an order allowing Movants to withdraw as counsel for Plaintiff.

Respectfully submitted,

/s/ Craig A. Edgington

Craig A. Edgington (TN Bar #38205)

Brice M. Timmons (TN Bar # 29582)

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/s/ Ty Clevenger

Ty Clevenger (TX Bar #24034380)

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tyclevenger@yahoo.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served on all parties via this Court ECF system this 22nd day of September 2023. Additionally, a copy of this motion is being served via US mail and/or e-mail to Plaintiff.

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Plaintiff

/s/Craig A. Edgington

CERTIFICATE OF CONSULTATION

I hereby certify that I consulted with Terrence McKelvey via email about the relief sought in this motion. Defense counsel had no opposition to the relief sought. I hereby certify that letters and e-mail have been transmitted to Plaintiff about the relief sought in this motion and no response has been received.

/s/Craig A. Edgington